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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,340	02/27/2002	Simon Mellor	PWV1.PAU.165	8537
23386 7590 01/15/2008 MYERS DAWES ANDRAS & SHERMAN, LLP 19900 MACARTHUR BLVD., SUITE 1150 IRVINE, CA 92612			EXAMINER YUN, EUGENE	
			ART UNIT 2618	PAPER NUMBER
			MAIL DATE 01/15/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/085,340

Applicant(s)

MELLOR ET AL.

Examiner

Eugene Yun

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4, 8-10, 15 and 17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 8-10, 15 and 17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 8-10, 15, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ketonen (US 6,594,508) and Basile (US 6,298,243) and further in view of Baran (US 5,421,030).

Referring to Claim 1, Ketonen teaches a method of transmitting a communication signal between a radio base station and a radiation element (see col. 2, lines 37-39), the method comprising:

Receiving data signals from a radiation element and producing an input signal (see col. 3, lines 7-9), wherein the data signals include values representing operating parameters of devices at the multiple radiation element (see col. 3, lines 26-37);

Receiving the input signal (see col. 3, lines 7-9);

extracting the data signals from the input signal (see col. 3, lines 50-55); and

producing a status signal for each device based upon the values representing operating parameters that simulates a feedback signal for the device (see col. 6, lines 57-65).

Ketonen does not teach multiple radiation elements, generating a signal that combines data signals, and receiving an input signal including the single signal from the multiple

radiation elements over a common feeder cable. Basile teaches multiple radiation elements, generating a first signal that combines data signals (see col. 4, lines 19-21 which notes the combining of the GPS and the cellular signals for transmission over a single cable), and receiving an input signal including the first signal from the multiple radiation elements over a common feeder cable, wherein the data signals include values representing operating parameters of devices at the multiple radiation elements (see ABSTRACT and col. 4, lines 11-17), and receiving the input signal from the multiple radiation elements over the common feeder cable (see ABSTRACT and col. 3, lines 51-58). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Basile to said device of Ketonen in order to cut costs by using less and less expensive feeder lines.

The combination of Ketonen and Basile does not teach generating a single modulated signal that combines data signals, producing a single input modulated signal, such that the input signal is adapted to transmitted over a common feeder cable, and transmitting the input modulated signal along with the transmitted and received communication channel signals through the common feeder cable. Baran teaches generating a single modulated signal that combines data signals, producing a single input modulated signal, such that the input signal is adapted to transmitted over a common feeder cable (see col. 8, lines 30-37), and transmitting the input modulated signal along with the transmitted and received communication channel signals through the common feeder cable (see col. 8, lines 37-45). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Baran to

the modified device of Ketonen and Basile in order to increase the capabilities of the system while maintaining low costs.

Claim 15 has similar limitations as claim 1.

Referring to Claim 2, Ketonen also teaches the input signal comprising a plurality of communication signals (see col. 3, lines 7-9).

Referring to Claim 3, Ketonen also teaches the devices including system cables 206 (fig. 2).

Referring to Claim 4, Ketonen also teaches a mast head amplifier (see col. 5, line 44).

Referring to Claim 8, Ketonen teaches a method of transmitting a communication signal between a radio base station and a radiation element, the method comprising:

Receiving data signals that include control signals representing operating parameter settings for devices at a radiation element (see col. 3, lines 26-37) and producing an input signal to be transmitted over a feeder cable (see col. 3, lines 7-9);

receiving the input signal (see col. 2, lines 7-9);

extracting the data signals from the input signal (see col. 3, lines 50-55); and

producing an output signal for each device that transfers the control signals representing operating parameter settings to the device (see col. 9, lines 66-67 and col. 10, lines 1-8).

Ketonen does not teach multiple radiation elements. Basile teaches multiple radiation elements, generating first a signal that combines data signals (see col. 4, lines 19-21 which notes the combining of the GPS and the cellular signals for transmission over a

single cable), receiving data signals that include control signals representing operating parameter settings for devices at multiple radiation elements and producing an input signal including the first signal to be transmitted over a common feeder cable (see ABSTRACT and col. 4, lines 11-17), and receiving the input signal over the common feeder cable (see ABSTRACT and col. 3, lines 51-58). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Basile to said device of Ketonen in order to cut costs by using less and less expensive feeder lines.

The combination of Ketonen and Basile does not teach generating a single modulated signal that combines data signals, producing a single input modulated signal to be transmitted over a common feeder cable, and transmitting the input modulated signal along with the transmitted and received communication channel signals. Baran teaches generating a single modulated signal that combines data signals, producing a single input modulated signal to be transmitted over a common feeder cable (see col. 8, lines 30-37), and transmitting the input modulated signal along with the transmitted and received communication channel signals (see col. 8, lines 37-45). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Baran to the modified device of Ketonen and Basile in order to increase the capabilities of the system while maintaining low costs.

Claim 17 has similar limitations to claim 8.

Referring to Claim 9, Ketonen also teaches the input signal comprising a plurality of communication signals (see col. 3, lines 7-9).

Referring to Claim 10, Ketonen also teaches a mast head amplifier (see col. 5, line 44).

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-4, 8-10, 15, and 17 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Yun whose telephone number is (571) 272-7860. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on (571)272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Eugene Yun  
Examiner  
Art Unit 2618

EY